

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

ARCHER WESTERN CONTRACTORS,) No. 3:07cv192
LTD.,)
Plaintiff)
v.)
GIRA STEEL, LLC, f/k/a GIRA STEEL,)
INC.,)
Defendant)

ORDER DENYING STAY AND STRIKING REPORT AND CERTIFICATION

The parties to this action filed a joint motion to stay discovery, asserting that the contract in question is not complete. The parties contend that a “stay will allow the claims and damages in dispute in this case to be clarified and will avoid litigation delays . . .” The Court believes that avoiding delay and judicial economy are best served by moving forward rather than staying the action. To the extent new claims may arise during the course of performance of the contract, the parties may move to amend their pleadings. Thus the joint motion for a stay is DENIED.

FURTHERMORE, the parties Report and Certification of Rule 26(f) Attorney’s Conference (Doc. No. 9) is hereby STRICKEN. The parties are directed to file within fourteen (14) calendar days a new Report that confirms to this Order and to this Court’s Standing Order Governing the Calendaring of Hearings and Trials, 3:07mc47 (Doc. No. 1), and Standing Order Governing Civil Case Management, 3:07mc47 (Doc. No. 2). The Court has reviewed the pleadings in this case, and while this case may involve substantial damages, there is nothing unique or complex about his matter; thus the Court holds this is a “Standard” case and should be scheduled using the “Standard

Track" as set for in the Standing Order Governing Civil Case Management.

IT IS SO ORDERED.

Signed: July 24, 2007



Frank D. Whitney
United States District Judge

